

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHARLENE CARTER,

Plaintiff,

V.

SOUTHWEST AIRLINES CO., AND
TRANSPORT WORKERS UNION OF AMERICA,
LOCAL 556,

Defendants.

Civil Case No. 3:17-cv-02278-X

JOINT MOTION TO EXTEND CURRENT PRETRIAL DEADLINES AND TRIAL SETTING

Southwest Airlines Co. (“Southwest”), the Transport Workers Union of America, Local 556 (“Local 556”), and Charlene Carter (“Carter”) (hereinafter sometimes referred to herein jointly as “the Parties”) file this Joint Motion to Extend the Current Pretrial Deadlines and Trial Setting as set forth in the Court’s Scheduling Order dated May 5, 2021 (*see* dkt. no. 154.). In support of this Motion, the Parties state as follows:

1. Carter originally filed this lawsuit on August 25, 2017 against Defendants Southwest and Local 556. Her complaint, as originally pled and amended thereafter, alleges claims for discrimination and retaliation under Title VII of the Civil Rights Act of 1964 and the Railway Labor Act (“RLA”), specifically Section 152 3rd & 4th of the RLA.

2. On May 5, 2021, the Court entered an amended Scheduling Order setting forth deadlines for the remainder of the case. Those deadlines included a dispositive motion deadline of September 2, 2021. The Scheduling Order set the case for trial on the Court’s two-week docket

beginning January 18, 2022, provided for a pre-trial conference of January 10, 2022, and set forth other pre-trial deadlines associated with motions *in limine*, a Joint Pre-Trial Order, and witness and exhibit lists.

3. The Parties are mindful that the Scheduling Order also provides that the Court will review with disfavor any request for extensions of its deadlines absent a showing of good cause. The Parties respectfully submit that “good cause” exists for the relief requested herein in this Joint Motion.

4. Specifically, as of October 18, 2021, the Parties recently completed briefing on their respective motions for summary judgment. In this case, all three Parties filed dispositive motions which, of course, necessitated response and reply briefs consistent with the deadlines provided for in the Court’s local rules.

5. Based on the number and length of the Parties’ summary judgment briefing, the Parties respectfully submit that it appears unlikely that the Court would be able to reach a decision on the dispositive motions prior to the deadlines for pre-trial filings as set forth in the Court’s May 5, 2021 Scheduling Order. The Parties seek the extensions pursuant to this motion in order provide the Court with adequate time to rule on the Parties’ dispositive motions and to avoid the likely contingency wherein they would be preparing for trial, including preparation of pre-trial pleadings, while the dispositive motions remain pending. As such, in order to avoid the expense and disruption of witness schedules necessitated by trial preparation in a case where all sides have argued that there is no material issue of disputed fact, the Parties hereby respectfully request that the Court stay the pre-trial deadlines and trial setting in its May 5, 2021 Scheduling Order.

6. The Parties are also mindful of the need to move the case forward to trial and, as such, do not request an indefinite delay. Rather, the Parties jointly request that the Court reset the

case for trial within three to four months of the current January 18, 2022 setting and reset the pre-trial deadlines accordingly.

7. This Motion is not filed for the purposes of delay but rather so that justice might be served.

The Parties therefore hereby jointly request that the Court enter the attached order and grant their joint motion to extend the current trial setting and pretrial deadlines consistent with this joint motion and the attached order and any other relief, at law or in equity, to which the Court finds the Parties justly entitled.

Dated: October 27, 2021

Respectfully submitted,

/s/ Paulo B. McKeeby

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